

Report to: PLANNING COMMITTEE

Date of Meeting: 11 September 2019

Report from: Assistant Director of Housing and Built Environment

Application Address: **Roebuck House, 26-27 High Street, Hastings, TN34 3EY**

Proposal: **Conversion of existing (D1) doctors surgery to form 9 x flats including external alterations (materials and finishes).**

Application No: **HS/FA/19/00157**

Recommendation: **Grant Full Planning Permission**

Ward: OLD HASTINGS 2018
Conservation Area: Yes - Old Town
Listed Building: Grade II

Applicant: Melisande Properties Ltd per House - Design & Architecture Rosemeath Little Common Road Little common, Bexhill on Sea. TN39 4SB

Public Consultation

Site Notice:	Yes
Press Advertisement:	Yes - Conservation Area Amended Plans
Letters of Objection:	11
Petitions of Objection Received:	0
Letters of Support:	0
Petitions of Support Received:	0
Neutral comments received	1

Application Status: Not delegated - 5 or more letters of objection received

1. Site and surrounding area

The site comprises a prominent three storey corner building. Roebuck House consists of two buildings and the floors above 25 High Street, which have over time, been amalgamated into Roebuck House, with the postal address of 26-27 High Street. 26 High Street is of Victorian decent, although has undergone significant modernisation over the last century with a significant portion carried out with the construction of the 1960's extension that forms 27 High Street.

The bulk of the property faces Roebuck Street and has an undercroft access to the west part of the building through to a small courtyard parking area to rear. The building includes clay hanging tiles and rendered bay windows, white painted timber windows and beige rendered walls with some brickwork to the eastern part of the building.

The site is located within the Old Town Conservation Area, and the upper floors above the shop at 25 High Street are listed. The application building is surrounded by attractive two and three storey buildings in both commercial and residential use, many of which are also listed. The building occupies an extremely prominent corner position as a more modern structure in the conservation area, despite being part listed.

Constraints

- Old Town Conservation Area
- SSSI Impact Risk Zone
- Archaeological Notification Area
- Area affected by ground water flooding
- Grade II Listed Building

The building is also located within the Old Town and Stade Cultural Quarter as defined by the Hastings Local Plan - Development Management Plan 2015.

2. Proposed development

The application proposes the conversion of the building from a doctors surgery (Use Class D1) to 9 residential flats, together with works to update and improve the external appearance of the building. Specifically, the development will provide:

- 4 x 1 bedroom flats
- 3 x 2 bedroom flats
- 2 x 3 bedroom flats
- New painted finish to render - light grey
- White painted timber windows, panels, soffits and facias
- Retention of existing tile hanging
- Repair/retention of existing concrete roof tiles

Bin and cycle storage is provided within the site boundary, together with 2 parking spaces.

A separate Listed Building Consent application is to be submitted for the works undertaken to the section of the building above the shop at 25 High Street.

The application is supported by the following documents:

- Planning and Heritage Statement
- HER Report
- Flue details
- Construction Management Plan

Relevant planning history

- HS/FA/10/00536 Relocation of surgery entrance together with associated works to provide disabled access
GRANTED 29 October 2010
- HS/FA/96/00002 Erection of three storey side extension fronting Roebuck Street and extension of existing roof to form a mansard roof with additional rooms and small extension to car park
GRANTED 23 February 1996
- HS/FA/95/00605 Erection of supporting rooms to the main surgery
REFUSED 23 February 1996
- HS/FA/95/00335 Erection of three storey and single storey extension at rear (fronting Roebuck Street)
APPEAL ALLOWED 2 September 1996
- HS/FA/89/01276 Replacement of windows and replacement of weatherboarding with tile hanging
GRANTED 16 February 1990
- HS/FA/89/00867 Erection of extensions and change of use of 1st and 2nd floors of no.25 to doctors surgery
GRANTED 9 October 1989
- HS/FA/88/01042 Erection of first and second floor extension at rear
GRANTED 2 November 1988
- HS/FA/77/00505 Conversion of ground floor of existing surgery from car parking to consulting rooms, demolition of adjoining disused bakery to form car park for 6 cars
GRANTED 4 October 1977
- HS/FA/73/01084 Erection of covered way and formation of enquiry/prescription office
GRANTED 9 August 1973
- HS/FA/66/01092 Erection of 2 doctors surgeries, 2 flats and covered parking for 5 vehicles
GRANTED 12 December 1966
- HS/OA/65/00040 Erection of three-storey building containing accommodation for doctors consulting rooms with residential accommodation over
GRANTED 9 March 1965
- HS/FA/57/00090 Formation of parking space for two vans
GRANTED 12 March 1957

National and local policies

Hastings Local Plan – Planning Strategy 2014

- Policy DS1 - New Housing Development
- Policy FA5 - Strategic Policy for Eastern Area
- Policy SC1 - Overall Strategy for Managing Change in a Sustainable Way
- Policy SC7 - Flood Risk
- Policy EN1 - Built and Historic Environment
- Policy H2 - Housing Mix
- Policy T3 - Sustainable Transport

Hastings Local Plan – Development Management Plan 2015

- Policy LP1 - Considering planning applications
- Policy DM1 - Design Principles

Policy DM3 - General Amenity
Policy DM4 - General Access
Policy HN1 - Development Affecting the Significance and Setting of Designated Heritage Assets (including Conservation Areas)
Policy HN2 - Changing Doors, Windows and Roofs in Conservation Areas
Policy HN4 - Development Affecting Heritage Assets with Archaeological and Historic Interest or Potential Interest
Policy SA3 - Shops and Services outside Shopping Areas
Policy CQ1 - Cultural Quarters

Other policies/guidance

Supplementary Planning Document 2 - Replacement Doors and Windows for Listed Buildings and Conservation Areas

National Planning Policy Framework (NPPF)

Paragraph 11 sets out a general presumption in favour of sustainable development and states that development proposals which accord with the development plan should be approved without delay.

Paragraph 12 of the NPPF states that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise. Three dimensions of sustainability given in paragraph 8 are to be sought jointly: economic (by ensuring that sufficient land of the right type is available in the right places and at the right time to support growth and innovation); social (providing housing, creating high quality environment with accessible local services); and environmental (contributing to, protecting and enhancing natural, built and historic environment) whilst paragraph 9 advises that plans and decisions need to take local circumstances into account, so they respond to the different opportunities for achieving sustainable development in different areas.

Section 12 of the NPPF sets out the requirement for good design in development. Paragraph 124 states: "The creation of high quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities."

Paragraph 127 of the NPPF requires that decisions should ensure developments:

- Function well;
- Add to the overall quality of the area for the lifetime of that development;
- Are visually attractive in terms of:
 - * Layout
 - * Architecture
 - * Landscaping
- Are sympathetic to local character/history whilst not preventing change or innovation;
- Maintain a strong sense of place having regard to:
 - * Building types
 - * Materials
 - * Arrangement of streets

- Optimise the potential of the site to accommodate an appropriate number and mix of development;
- Create safe places with a high standard of amenity for future and existing users

Paragraph 130 states permission should be refused for development of poor design that fails to take the opportunities available for improving the character and quality of an area and the way that it functions.

Paragraph 130 also seeks to ensure that the quality of an approved development is not materially diminished between permission and completion through changes to the permitted scheme.

Paragraph 192 states that in determining planning applications, local planning authorities need to take account of:

- a) the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;
- b) the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and
- c) the desirability of new development making a positive contribution to local character and distinctiveness.

Paragraph 193 makes clear that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

Paragraph 194 requires any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), to be supported by clear and convincing justification.

Paragraph 196 states that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

3. Consultation comments

Southern Water - **no objection**

Request informative requiring formal connection to the sewer

East Sussex County Council (Highways) - **no objection subject to conditions (conditions 5-7)**

Consider proposed development to reduce trips generated, and that cycle and parking provision is acceptable in this location.

East Sussex County Council (Archaeology) - **no objection**

Do not consider the development to result in an impact on archaeological remains

Hastings Borough Council (Waste) - **no objection**

Note that there is already a waste collection service on this road, and that the waste storage room is available for storage of waste bins.

Hastings Borough Council (Conservation) - **no objection subject to conditions (conditions 8-9)**

No objections to the proposed change of use subject to conditions relating to paint colour and details of extract systems. Confirm that a separate listed building consent is required for the works to the floors above the shop at 25 High Street.

UK Power Networks - **no objection**

Note that the proposed development is in close proximity to a substation and provide guidelines that need to be followed.

4. Representations

11 letters of objection, 1 general comment, from 12 individuals, were received following the display of a site notice at the initial consultation stage. No further representations were received following the display of the amended plans site notice.

A summary of the issues raised is provided below:

- Inappropriate use of materials, particularly the proposed black colour and the loss of existing hanging tiles
- Would result in additional parking pressure
- Overlooking and noise impacts on existing residents
- Potential for inappropriate lighting installations causing light pollution
- Traffic management during construction
- Noise during construction
- Require replacement footway

Many of these issues have been addressed through the submission of amended plans, although no objections have been withdrawn by residents. The issues raised are discussed in detail throughout the remainder of this report.

5. Determining issues

This application proposes the conversion of an existing doctors surgery into 9 x flats. Whilst the conversion to flats is generally supported by neighbouring residents subject to detailed consideration of parking requirements, concerns relate mostly to the general appearance of the building, based on the initially submitted plans. Taking this into account, the main considerations therefore relate to the impact of the development on the character and appearance of the area in light of the site's location in the Old Town Conservation Area being partly listed, together with the impact on parking and the wider highway network, and neighbouring residential amenity.

a) Principle

Policy LP1 of the Hastings Local Plan - Development Management Plan (2015), paragraph 4.3 of the Hastings Local Plan – Planning Strategy (2014) and paragraph 11 of the NPPF set out a presumption in favour of sustainable development. The site is within a sustainable location with reasonable/good access to public transport, shops, services and facilities and as such the development is considered acceptable in principle subject to other local plan policies.

b) Impact on character and appearance of area and the Old Town Conservation Area

Roebuck House is a large-scale prominent corner building. It currently has a mix of colours and textures of external materials that generally fit in with the predominantly pale render, red brick work or red clay tile hanging to frontages in this part of the Old Town Conservation Area. Together with the pub opposite, the existing surgery building frames the junction of High Street with Roebuck Street. The surgery building also forms a harmonious architectural grouping with the other buildings on Roebuck Street and High Street.

As originally submitted, the application proposed to paint the majority of the building black and replace the existing hanging tiles with timber cladding. The proposed use of materials was considered to have a negative impact on the architectural harmony of this grouping in Roebuck Street and the High Street, and resulted in an over dominant building in the context of the overall streetscene. Following feedback of these concerns, the applicant has since revised the scheme and submitted amended plans detailing the following:

- New painted finish to render - light grey
- White painted timber windows, panels, soffits and facias
- Retention of existing tile hanging
- Retention of facing brickwork
- Repair/retention of existing concrete roof tiles

The proposed use of external materials are now considered acceptable, and have addressed many of the objections raised by concerned neighbours in terms of the impact of the development on the character and appearance of the area. Policies DM1 and HN1 of the Development Management Plan are therefore complied with in that the amended proposal has taken reference to local character and will not cause harm to the significance or setting of the Old Town Conservation Area or part listed building.

To facilitate the development, it is also necessary to install two flue ducts at ground and first floor levels to the High Street elevation and a single flue duct at second floor level on the Roebuck Street elevation to serve flats 1, 4 and 8. These will extend out 150mm from the facade and cannot be avoided given the fire and access issues from the internal layout. The Council's Conservation Officer has confirmed that the submitted flue details are acceptable, and will not cause harm to the significance and setting of the conservation area or part listed building.

c) Impact on the listed building

As stated above, the property at the northern extent of the site, above the shop at 25 High Street is a listed building. Listed building consent will therefore be required to carry out the

internal alterations being proposed to the first and second floors of this building to form self-contained flats.

The internal works being proposed consist mainly of the sub-division of the central room on each of the upper floors to form a kitchen and bathroom area for each flat. It is possible that this central room is the site of the original staircase for the property, which is likely to be acceptable in terms of alterations the listed building, subject to further detail being submitted in respect of the listed building application.

d) Archaeology

Although this application is situated within an Archaeological Notification Area, no groundworks are involved and as such, there will be no impact on any significant archaeological remains. Policy HN4 of the Development Management Plan 2015 is therefore complied with.

e) Layout

Since originally submitted, the number of flats proposed has been reduced from 10 to 9, in order to make for a better standard of accommodation. Each of the 9 flats proposed now meet the minimum standards for internal floorspace requirements, as set out in the government publication "Technical housing standards – nationally described space standard" (CLG, March 2015), and demonstrated below:

Flat	No of beds	No of persons	Floorspace (sqm)	National requirement (sqm)
1	2	4	73.8	70
2	1	2	51.2	50
3	1	1	44.8	39
4	2	4	77.9	70
5	1	1	40.1	39
6	3	4	84.9	74
7	1	1	40.1	39
8	2	4	73.8	70
9	3	4	84.9	74

The layout has been designed to ensure that there will be sufficient natural light entering the residential units and communal areas, and adequate provision has been made for the storage of waste. A dedicated waste storage room is provided at ground floor level, which meets the dimensions required by the waste team. It measures 3.5m wide at its widest point and comprises a floor area of just under 7sqm. The submitted plans identify that 2 x 110 litre bins will be provided on site, for collection on the required day. The Waste Management Team have no objection to the proposal.

Whilst there is no dedicated amenity space serving the development, this is not unusual for residential development in this historic location with its constrained site characteristics. Whilst the lack of amenity space for the larger units in particular is regrettable, given the site's location in such close proximity to the beach and the town centre, it is considered that on balance, refusal of permission on these grounds could not be justified in this instance.

Policy DM3 of the Development Management Plan 2015 is therefore complied with in terms of providing a good standard of living accommodation for future occupants, and ensuring there is sufficient provision for the storage and removal of waste.

f) Housing mix

The application proposes a mix of 1, 2 and 3 bedroom flats within the existing building. This is a suitable mix for this location, and shows that consideration has been given to delivering a balanced mix of housing in accordance with Policy H2 of the Hastings Planning Strategy 2014

g) Loss of existing use

Whilst the loss of a doctors surgery in this location is unfortunate, the surgery is to be relocated to a new building more suitable for its purpose nearby in Rock-a-Nore Road. Therefore, the services that the surgery provides will not be lost to the community. The proposed residential use will bring a viable use to this building, and provide a valuable contribution to meeting the town's overall housing target as set out in Policy DS1 of the Hastings Planning Strategy 2014, and be in accordance with Policy SA3 of the Development Management Plan, which seeks to retain key services outside of main shopping areas.

h) Impact on neighbouring residential amenities

Concern has been raised from neighbouring residential occupiers regarding overlooking and resultant noise from the change of use to residential. Whilst these concerns are noted, the development does not involve any new openings for windows that would provide further impacts in terms of overlooking, and the proposed use will ultimately reduce the number of people entering and leaving the property given its existing use as a doctors surgery. In addition, condition 3 has been applied to control the hours of work during the conversion of the building, and a Construction Management Plan has been submitted to ensure disturbance from vehicle movements during the construction phase, which has been accepted by the Highway Authority as fit for purpose.

Taking the above into account, it is not considered therefore, that there will be any additional impacts in terms of overlooking or noise disturbance, in accordance with Policy DM3 of the Development Management Plan 2015.

i) Drainage

Southern Water have identified that the site is located close to a public water distribution main. Whilst the application is not proposing any additional load or changes to the foundations that could affect this, an informative has been added (4) to remind the applicant of their responsibilities in terms of the maintenance of this main. The development will connect to the existing foul drainage system, which will require approval of connection by Southern Water (informative 3).

Whilst the application site is located in an area at risk of ground water flooding, there is no increase in hardstanding area and no further groundworks are taking place. This means therefore, that there will be no increase in surface water run off and that there will be no negative impact on this site constraint.

Policy SC7 of the Hastings Planning Strategy is therefore complied with, in that there will be no impact in terms of flood risk.

j) Air quality and emissions

Having regard to guidance contained within 'Air Quality and Emission Mitigation' 2013 produced by Sussex Air Quality Partnership, the proposed development will not exceed statutory guidelines for airborne pollutants and Environmental Health Officers have no objection in this respect. No external lighting is proposed and residential amenities are not harmfully affected. The development will not give rise to ground or surface water pollutions. The development is therefore in accordance with Policy DM6 of the Hastings Development Management Plan 2015.

k) Highway safety/parking

The existing use as a doctors surgery is considered a high trip generator given the nature of short appointments, whereas in contrast, the proposed residential use is likely to result in less than 5 vehicle trips per day. Therefore, it is considered that the proposed development is likely to result in a reduction in traffic movements to and from the site, compared to the existing use.

In terms of parking provision, only 2 spaces are proposed in the existing courtyard area. These are utilised from the existing layout serving the doctors surgery, which is not in line with the requirements of East Sussex County Council's parking guidance. However, the building is constrained in terms of available space for additional parking, and the site is located in a very accessible location in Hastings Old Town, close to bus routes, local amenities and the town centre. On street parking (with controls) is also available in the immediate area. Providing that the two parking spaces are allocated to specific flats, it is not considered that the proposed development would result in a severe impact on the highway or surrounding transport network. East Sussex County Council (Highways) are supportive of the proposal and raise no objection in terms of parking provision. Policy DM4 of the Development Management Plan is therefore complied with.

Cycle storage for 8 cycles is provided at ground floor level, accessed through the main entrance hall. This amount of provision is acceptable and will contribute to encouraging modes of transport other than the private car in accordance with Policy T3 of the Hastings Planning Strategy 2014.

l) Other considerations

The site is within close proximity to a substation, and UK Power Networks have provided guidelines for development in such situations. There are no windows that directly overlook the substation, and a communal stair and en-suite shower room separate the sleeping accommodation from it. Given that the works relate to an existing premises, with other residential properties in equally close proximity, it is not considered that the change of use is inappropriate in such a location. The layout has been designed with the constraints of the substation in mind, resulting in an acceptable standard of development for future residential occupiers. Policy DM3 of the Development Management Plan is therefore complied with in this respect.

m) Environmental Impact Assessment

The National Planning Practice guidance (Paragraph: 017 Reference ID: 4-017-20170728) states that "Projects which are described in the first column of Schedule 2 but which do not exceed the relevant thresholds, or meet the criteria in the second column of the Schedule, or are not at least partly in a sensitive area, are not Schedule 2 development."

This development is not within a sensitive area as defined by Regulation 2 (1) of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 and does not exceed the thresholds of schedule 2 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017.

n) Affordable housing and other contributions

No contributions are required given that the number of dwellings proposed falls short of the minimum requirement to provide contributions, as set out in National Planning Practice Guidance paragraph 023 Reference ID: 23b-023-20190315). In light of this, it is not appropriate in this instance to require a contribution towards footway improvements as suggested by an objector.

6. Conclusion

The design of the proposed development has been amended to improve its appearance in the streetscene, resulting in the significance and setting of the conservation area being preserved. The proposed change of use to residential is appropriate in this location, and there is not considered to be any harm caused to neighbouring residential amenities. The proposal therefore complies with the Development Plan in accordance with Section 38 (6) of the Planning and Compulsory Purchase Act 2004 which states:

"If regard is to be had to the development plan for the purpose of any determination to be made under the Planning Acts the determination must be made in accordance with the plan unless material considerations indicate otherwise".

The Human Rights considerations have been taken into account fully in balancing the planning issues.

7. Recommendation

Grant Full Planning Permission subject to the following conditions:

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out in accordance with the following approved plans:

18.171/01, 18.171/02, 18.171/03C and 18.171/04C
3. The building works required to carry out the development allowed by this permission must only be carried out within the following times:-

08.00 - 18.00 Monday to Friday
08.00 - 13.00 on Saturdays
No working on Sundays or Public Holidays.
4. 1 x 1100 litre wheeled waste bin and 1 x 1000 litre wheeled recycle bin should be provided within the designated waste storage room on first occupation of the flats hereby approved.
5. No part of the development shall be occupied until the car parking spaces have been provided in accordance with plans and details submitted to and approved in writing by the Local Planning Authority. The area shall thereafter be retained for that use and shall not be used other than for the parking of motor vehicles
6. No part of the development shall be occupied until covered and secure cycle parking spaces have been provided in accordance with plans and details submitted to and approved in writing by the Local Planning Authority. The area shall thereafter be retained for that use and shall not be used other than for the parking of cycles.
7. The submitted Construction Management Plan (House Designs, August 2019) shall be implemented and adhered to in full throughout the entire construction period.

8. Prior to the commencement of painting works, full details shall be provided of the proposed paint colour to be used for the render surfaces of the building should be submitted to and approved in writing by the Local Planning Authority. These details shall include a paint colour chart clearly marked up to show the proposed colour, paint type and manufacturer. The works must then be undertaken in accordance with the approved details.
9. Prior to the installation of any other extract systems, full details of the proposed siting of any extract terminals on the visible elevations of the building, or anywhere on the listed building, shall be submitted to and approved in writing by the Local Planning Authority. These details shall include elevations showing the proposed locations of the vent terminals and details of the size, appearance, materials and finishes of the terminals. Thereafter, the approved form of extract terminal shall be fitted in the agreed locations.

Reasons:

1. This condition is imposed in accordance with the provisions of Section 91 of the Town and Country Planning Act 1990.
2. For the avoidance of doubt and in the interests of proper planning.
3. To safeguard the amenity of nearby residents.
4. To ensure a satisfactory standard of development.
5. To provide car-parking space for the development.
6. To provide alternative travel options to the use of the car in accordance with current sustainable transport policies.
7. In the interests of highway safety and the amenities of the area.
8. To ensure a satisfactory form of development in the interests of the character and appearance of the area.
9. To ensure a satisfactory form of development in the interests of the character and appearance of the area.

Notes to the Applicant

1. Failure to comply with any condition imposed on this permission may result in enforcement action without further warning.
2. Statement of positive engagement: In dealing with this application Hastings Borough Council has actively sought to work with the applicant in a positive and proactive manner, in accordance with paragraph 38 of the National Planning Policy Framework.

3. A formal application for connection to the public foul sewerage system is required in order to service this development, please contact Southern Water: Developer Services, Southern Water, Southern House, Sparrowgrove, Otterbourne, Hampshire, SO21 2SW. Tel: 0330 303 0119. E-mail: developerservices@southernwater.co.uk.
4. Any changes to the building foundations will require Southern Water approval. An investigation of the water main is required to ascertain its condition, size and depth. The design for erection of additional floor and extensions should take into account additional load of that construction that will be affecting the public apparatus. The applicant is advised to discuss the matter further with Southern Water, Sparrowgrove House, Sparrowgrove, Otterbourne, Hampshire SO21 2SW (Tel: 0330 303 0119) or www.southernwater.co.uk".
5. Consideration should be given to the provision of a domestic sprinkler system.
6. The waste bins will need to be provided by the developer and owner of the property upon completion.
7. All works should be undertaken with due regard to Health & Safety guidance notes HS(G)47 Avoiding Danger from Underground Services. This document is available from HSE offices.
8. The applicant is reminded that a separate Listed Building Consent application is required for the proposed works that affect the listed parts of the building, above the shop at 25 High Street. Conversion works should not commence to any part of the listed building until this consent has been obtained.

Officer to Contact

Mrs S Wood, Telephone 01424 783329

Background Papers

Application No: HS/FA/19/00157 including all letters and documents